(G.C.P.)J 455 (5,00,000)-11.2001) Spl-H.C.,A.S.,C.D.,78e

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL WRIT PETITION NO.1990 OF 2003

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions and Registrar's order.	Court's or Judge's orders

None for the Petitioner.

Shri B.H.Mehta, APP for the Respondents.

CORAM: R.M.S.KHANDEPARKAR, J

DATED: 24TH JANUARY, 2005.

P.C.

1. None present for the Petitioner. This is a third round of litigation before this Court in the same matter. Inspite of the specific direction by this Court under Order dated 10th October, 2003 to dispose of the criminal case filed against the Petitioner under Section 138 of the Negotiation Instruments Act within a period of six months from the date of the order of this Court i.e. 10th October, 2003, no efforts appear to have been made by the Petitioner to appear before the trial Court, and therefore, non-bailable warrant came to be issued against the Petitioner for failure

on the part of the Petitioner to appear before the trial Court. The same has been issued on 7th November, 2003. As no sufficient cause was shown for cancellation of the said warrant, the application for cancellation of the said warrant was rejected. The revision application filed against the said order was also dismissed by the Additional Sessions Judge, Palghar, on 8th December, 2003. It was followed by the proclamation issued under Section 82 of the Code of Criminal Procedure, 1973 by the J.M.F.C. Vasai Court, on 16th December, 2003.

2. The facts disclosed from the records do not warrant any interference in the impugned order in exercise of writ jurisdiction under Article 227 of the Constitution of india, and therefore, the Petition is rejected.